

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MARTIN DELGADILLO,

Petitioner,

v.

No. CV 10 -1055 JC/CG
CR 09 -1862 JC

UNITED STATES OF AMERICA,

Respondent,

ORDER FOR SUPPLEMENTAL BRIEFING

THIS MATTER is before the Court, *sua sponte*, for an Order directing Respondent to supplement the record pursuant to Rule 7 of the Rules Governing Section 2255 Proceedings for the United States District Court. Petitioner has alleged, among other things, that his attorney was constitutionally ineffective for failing to object to the inclusion of certain juvenile offenses in Petitioner's Pre-Sentence Report ("PSR"). (Doc. 1 at 9-12). Respondent has cited extensively to the PSR to support its contention that Petitioner's claims have no merit. (Doc. 7 at 2-3, 6-7, 10). However, Respondent neglected to include a copy of Petitioner's PSR for this Court to review.

IT IS THEREFORE ORDERED that Respondent supplement the record by filing a copy of Petitioner's Pre-Sentence Report. Because the PSR contains confidential information, Respondent is directed to file the PSR under seal. Respondent shall submit the PSR within seven days of this order.



THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE